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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.,

Case No. 4:20-CV-05640-YGR

Plaintiff, Counter-defendant,

V.

APPLE INC.,

Defendant, Counterclaimant.

In re Apple iPhone Antitrust Litigation

Case No. 4:11-cv-06714-YGR

DONALD R. CAMERON, *et al.*,

Case No. 4:19-cv-03074-YGR

Plaintiffs,

JOINT PROPOSED AGENDA FOR CASE MANAGEMENT CONFERENCE

Date: October 19, 2020

Time: 9:30 a.m.

Courtroom: 1, 4th Floor (via Zoom)

Judge: Hon. Yvonne Gonzalez Rogers

APPLE INC.

Defendant.

Pursuant to the Court’s Case Scheduling and Pretrial Order dated October 6, 2020
(*Epic Games, Inc. v. Apple Inc.*, 4:20-cv-05640-YGR (“Epic”), ECF No. 116) and Orders re: Case Management Conference dated October 6, 2020 (*Cameron, et al. v. Apple Inc.*, 4:19-cv-03074-YGR (“Cameron”), ECF No. 119; *In re Apple iPhone Antitrust Litigation*, 4:11-cv-06714-YGR (“Pepper”), ECF No. 232), Plaintiff Epic Games, Inc. in *Epic*; Plaintiffs Robert Pepper, Stephen

1 H. Schwartz, Edward W. Hayter, and Edward Lawrence, in *Pepper* (collectively, “Consumer
2 Plaintiffs”); Plaintiffs Donald R. Cameron and Pure Sweat Basketball, Inc. in *Cameron*
3 (collectively, “Developer Plaintiffs”); and Defendant Apple Inc. (“Apple”) (Apple together with
4 Epic, Consumer Plaintiffs, and Developer Plaintiffs, the “Parties”), by and through their
5 undersigned counsel, hereby submit the following proposed agenda for the October 19, 2020, 9:30
6 a.m. case management conference:

- 7 1. Modification of *Cameron* and *Pepper* schedule to facilitate coordination with *Epic*.
- 8 2. Coordination across *Cameron*, *Pepper*, and *Epic*, including the applicability of the
9 Orders Granting Stipulation Regarding Coordination of Discovery (*Cameron* ECF
10 No. 80; *Pepper* ECF No. 194) to *Epic* and to the Parties’ ongoing discussions
11 regarding coordination of:
 - 12 a. Discovery requests and document productions;
 - 13 b. Joint protocol governing the discovery of ESI;
 - 14 c. Fact depositions; and
 - 15 d. Third-party discovery.
- 16 3. Discovery status in *Cameron* and *Pepper*, per Section 3 of the Further Joint Case
17 Management Statements (*Cameron* ECF No. 175; *Pepper* ECF No. 244).
- 18 4. Discovery status in *Epic*, per Section 8.A of the Joint Case Management Statement
19 (*Epic* ECF No. 120).
- 20 5. Recommendations to streamline trial issues and briefing, including whether briefing
21 on certain legal issues should be staged in advance of the trial (*Epic*, ECF No. 116).
- 22 6. Zoom accessibility issues for Parties and counsel.

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2 Dated: October 15, 2020
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6 Respectfully submitted,
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8

By: /s/ Gary A. Bornstein
Gary A. Bornstein

9 *Attorneys for Plaintiff Epic Games, Inc.*
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Dated: October 15, 2020
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1 Dated: October 15, 2020

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8 Dated: October 15, 2020

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16 By: /s/ Cynthia E. Richman
17 Cynthia E. Richman

18 *Attorneys for Defendant Apple Inc.*

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20 **E-FILING ATTESTATION**

21
22 I, Gary A. Bornstein, am the ECF User whose ID and password are being used to
23 file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the
24 signatories identified above has concurred in this filing.

25 _____
26 /s/ *Gary A. Bornstein*

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28 _____
Gary A. Bornstein